

1 Randolph S. Hicks, Esq. - SBN 83627
2 Sarvenaz J. Fahimi, Esq. - SBN 226148
3 **CODDINGTON, HICKS & DANFORTH**
4 **A Professional Corporation, Lawyers**
5 555 Twin Dolphin Drive, Suite 300
6 Redwood City, California 94065-2133
7 Tel. (650) 592-5400
8 Fax. (650) 592-5027
9 RHicks@chdlawyers.com

E-FILED - 8/25/09

6 **ATTORNEYS FOR** Defendant
7 Progressive Northern Insurance Company

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 SADIE LYNN RAISNER ZIMPLEMAN,

No. C09 03306 -RMW

12 Plaintiffs,

**STIPULATION AND ORDER
DISMISSING SECOND CAUSE OF
ACTION OF COMPLAINT**

13 vs.

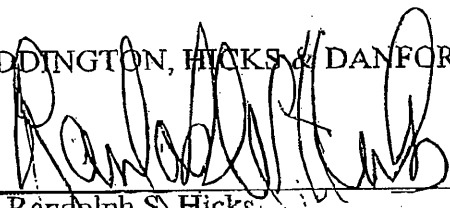
14 PROGRESSIVE NORTHERN
15 INSURANCE COMPANY, and DOES 1
through X, inclusive,

16 Defendants.

17 _____
18 IT IS HEREBY STIPULATED BETWEEN THE PARTIES HERETO by and through their
19 respective counsel, that the second cause of action of plaintiff's complaint for breach of the implied
20 covenant of good faith and fair dealing be dismissed with prejudice and that defendant Progressive
21 Northern Insurance Company shall file an answer to the first cause of action of the complaint.

22
23 Dated: August 13, 2009

CODDINGTON, HICKS & DANFORTH

24
25 By: 
26 Randolph S. Hicks
27 Attorneys for Defendant
28 Progressive Northern Insurance Company

[signatures continued on page 2]

1 [signatures continued from page 1]

2 Dated: August 13, 2009

MEIS & ASSOCIATES

4 By: _____

Fred G. Meis

Michael P. Purcell

Attorneys for Plaintiff

Sadie Lynn Raisner Zimpelman

8 **ORDER**

9 The court concurs with the foregoing stipulation and it is hereby ordered that the second
10 cause of action of the complaint for breach of the implied covenant of good faith and fair dealing
11 is dismissed and that defendant Progressive Northern Insurance Company shall file an answer to the
12 first cause of action of the complaint on or before August 27, 2009.

14 Dated: 8/25/09

Ronald M. Whyte
The Honorable Ronald M. _____
Whyte